

PLAINTIFFS
James B. Sumpter

DEFENDANTS
DELPHI AUTOMOTIVE SYSTEMS (HOLDING), INC.
/fka DELPHI AUTOMOTIVE SYSTEMS

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
JAMES B. SUMPTER, pro se
21169 Westbay Circle, Noblesville, IN 46062
317-877-0736

ATTORNEYS (IF KNOWN)
Cynthia J. Haffey, BUTZEL LONG, P.C.
150 West Jefferson, Suite 100, Detroit, MI 48226
(313) 225-7000

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Appealed of court order enjoining the Appellant's ERISA suit against Delphi's Autom. Sys. life and Disab.Prog. in the Indiana District Court

Has this or a similar case been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE? No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY) NATURE OF SUIT

TORTS			ACTIONS UNDER STATUTES		
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
[] 110 INSURANCE	[] 310 AIRPLANE	[] 362 PERSONAL INJURY -	[] 610 AGRICULTURE	<input checked="" type="checkbox"/> 422 APPEAL	[] 400 STATE
[] 120 MARINE	[] 315 AIRPLANE PRODUCT	MED MALPRACTICE	[] 620 OTHER FOOD &	28 USC 158	REAPPORTIONMENT
[] 130 MILLER ACT	LIABILITY	[] 365 PERSONAL INJURY	DRUG	[] 423 WITHDRAWAL	[] 410 ANTITRUST
[] 140 NEGOTIABLE	[] 320 ASSAULT, LIBEL &	PRODUCT LIABILITY	[] 625 DRUG RELATED	28 USC 157	[] 430 BANKS & BANKING
INSTRUMENT	SLANDER	[] 368 ASBESTOS PERSONAL	SEIZURE OF		[] 450 COMMERCE
[] 150 RECOVERY OF	[] 330 FEDERAL	INJURY PRODUCT	PROPERTY		[] 460 DEPORTATION
OVERPAYMENT &	EMPLOYERS'	LIABILITY	21 USC 881	PROPERTY RIGHTS	[] 470 RACKETEER INFLU-
ENFORCEMENT	LIABILITY		[] 630 LIQUOR LAWS		ENCED & CORRUPT
OF JUDGMENT	[] 340 MARINE	PERSONAL PROPERTY	[] 640 RR & TRUCK	[] 820 COPYRIGHTS	ORGANIZATION ACT
[] 151 MEDICARE ACT	[] 345 MARINE PRODUCT		[] 650 AIRLINE REGS	[] 830 PATENT	(RICO)
[] 152 RECOVERY OF	LIABILITY	[] 370 OTHER FRAUD	[] 660 OCCUPATIONAL	[] 840 TRADEMARK	[] 480 CONSUMER CREDIT
DEFAULTED	[] 350 MOTOR VEHICLE	[] 371 TRUTH IN LENDING	SAFETY/HEALTH		[] 490 CABLE/SATELLITE TV
STUDENT LOANS	[] 355 MOTOR VEHICLE	[] 380 OTHER PERSONAL		SOCIAL SECURITY	[] 810 SELECTIVE SERVICE
(EXCL VETERANS)	PRODUCT LIABILITY	PROPERTY DAMAGE	[] 690 OTHER		[] 850 SECURITIES/
[] 153 RECOVERY OF	[] 360 OTHER PERSONAL	[] 385 PROPERTY DAMAGE			COMMODITIES/
OVERPAYMENT	INJURY	PRODUCT LIABILITY	LABOR	[] 861 HIA (1395ff)	EXCHANGE
OF VETERANS'				[] 862 BLACK LUNG (923)	[] 875 CUSTOMER
BENEFITS	ACTIONS UNDER STATUTES	PRISONER PETITIONS	[] 710 FAIR LABOR	[] 863 DIWC/DIWW (405(g))	CHALLENGE
[] 160 STOCKHOLDERS	CIVIL RIGHTS	[] 510 MOTIONS TO	STANDARDS ACT	[] 864 SSID TITLE XVI	12 USC 3410
SUITS	[] 441 VOTING	VACATE SENTENCE	[] 720 LABOR/MGMT	[] 865 RSI (405(g))	[] 890 OTHER STATUTORY
[] 190 OTHER	[] 442 EMPLOYMENT	20 USC 2255	RELATIONS		ACTIONS
CONTRACT	[] 443 HOUSING/	[] 530 HABEAS CORPUS	[] 730 LABOR/MGMT	FEDERAL TAX SUITS	[] 891 AGRICULTURAL ACTS
CONTRACT	ACCOMMODATIONS	[] 535 DEATH PENALTY	REPORTING &	[] 870 TAXES (U.S. Plaintiff or	[] 892 ECONOMIC
PRODUCT	[] 444 WELFARE	[] 540 MANDAMUS & OTHER	DISCLOSURE ACT	Defendant)	STABILIZATION ACT
LIABILITY	[] 445 AMERICANS WITH		[] 740 RAILWAY LABOR ACT	[] 871 IRS-THIRD PARTY	[] 893 ENVIRONMENTAL
[] 196 FRANCHISE	DISABILITIES -	PRISONER CIVIL RIGHTS	[] 790 OTHER LABOR	26 USC 7609	MATTERS
	EMPLOYMENT	[] 550 CIVIL RIGHTS	LITIGATION		[] 894 ENERGY
	[] 446 AMERICANS WITH	[] 555 PRISON CONDITION	[] 791 EMPL RET INC		ALLOCATION ACT
	DISABILITIES -OTHER		SECURITY ACT		[] 895 FREEDOM OF
	[] 440 OTHER CIVIL RIGHTS		IMMIGRATION		INFORMATION ACT
	(Non-Prisoner)				[] 900 APPEAL OF FEE
REAL PROPERTY			[] 462 NATURALIZATION		DETERMINATION
[] 210 LAND			APPLICATION		UNDER EQUAL
CONDEMNATION			[] 463 HABEAS CORPUS-		ACCESS TO JUSTICE
[] 220 FORECLOSURE			ALIEN DETAINEE		[] 950 CONSTITUTIONALITY
[] 230 RENT LEASE &			[] 465 OTHER IMMIGRATION		OF STATE STATUTES
EJECTMENT			ACTIONS		
[] 240 TORTS TO LAND					
[] 245 TORT PRODUCT					
LIABILITY					
[] 290 ALL OTHER					
REAL PROPERTY					

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.? IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint

JURY DEMAND: ☐ YES ☐ NO

NOTE: Please submit at the time of filing an explanation of why cases are deemed related.

(PLACE AN x IN ONE BOX ONLY)

ORIGIN

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from (Specify District) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judge Judgment
- ☐ a. all parties represented ☒ b. At least one party is pro se.
- Appeal to District Court
from Bankruptcy Judge judgment

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

- ☒ 1 U.S. PLAINTIFF ☐ 2 U.S. DEFENDANT ☐ 3 FEDERAL QUESTION (U.S. NOT A PARTY) ☐ 4 DIVERSITY

**IF DIVERSITY, INDICATE
CITIZENSHIP BELOW.
(28 USC 1332, 1441)**

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

	PTF	DEF		PTF	DEF		PTF	DEF
CITIZEN OF THIS STATE	[]	[]	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	[]	[]	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	[]	[]
CITIZEN OF ANOTHER STATE	[]	[]	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[]	[]	FOREIGN NATION	[]	[]

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

21169 Westbay Circle
Noblesville, IN 46062
Hamilton County Indiana

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

5725 Delphi Drive
Troy, MI 48098
Oakland County, Michigan

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN
(DO NOT check either box if this a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.)

DATE 6/9/2013 SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO

[] YES (DATE ADMITTED Mo. _____ Yr. _____)

Attorney Bar Code #

RECEIPT #

James B. Supta, pro se

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)